

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

CHARLES BUCKLEY,

Plaintiff,

v.

Case No. 05-10159
Honorable David M. Lawson

BROWN PLASTICS MACHINERY L.L.C.
and PLASTICS MACHINERY L.P.,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION,
SUSTAINING OBJECTIONS TO WRITS OF GARNISHMENT, AND GRANTING THE
MOTION TO QUASH WRITS OF GARNISHMENT**

Presently before the Court is the report issued on December 8, 2005 by Magistrate Judge Charles E. Binder pursuant to 28 U.S.C. § 636(b), recommending that this Court sustain the objections to the writs of garnishment and grant the motion to quash writs of garnishment. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The parties' failure to file objections to the Report and Recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the Magistrate Judge's report releases the Court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the Magistrate Judge.

Accordingly, it is **ORDERED** that the Magistrate Judge's Report and Recommendation [dkt # 66] is **ADOPTED**.

It is further **ORDERED** that the objections to the writs of garnishment [dkt ## 20-24] are **SUSTAINED**.

It is further **ORDERED** that the motion to quash writs of garnishment [dkt # 26] is **GRANTED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: January 5, 2006

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 5, 2006.

s/Tracy A. Jacobs
TRACY A. JACOBS